

Message Text

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ACTION ACDA-10

INFO OCT-01 IO-13 ISO-00 ERDA-05 AF-10 ARA-10 CIAE-00
DODE-00 EA-10 EUR-12 PM-05 H-01 INR-07 L-03
NASA-01 NEA-10 NSAE-00 NSC-05 OIC-02 SP-02 PA-01
PRS-01 OES-07 SS-15 USIA-06 NRC-05 /142 W
-----113613 301542Z /53

R 301350Z AUG 77
FM USMISSION GENEVA
TO SECSTATE WASHDC 714

C O N F I D E N T I A L SECTION 1 OF 3 GENEVA 7403

E O 11652: GDS
TAGS: PARM, CCD
SUBJ: CCD: US/USSR WORKING GROUP ON RADIOLOGICAL WEAPONS:
ROUND TWO, DRAFT ILLUSTRATIVE ELEMENTS: MSG NO. 18

1. DURING THE COURSE OF ROUND TWO OF THE US-USSR WORKING GROUP ON RADIOLOGICAL WEAPONS (RW) AND NEW MASS DESTRUCTION WEAPONS (MDW) THE POSITION OF BOTH SIDES WERE INCORPORATED IN A SET OF DRAFT ILLUSTRATIVE ELEMENTS. WHERE DIFFERENCES EXISTED, BRACKETS WERE USED TO INDICATE THE POSITION OF EACH SIDE. BRACKETS FOLLOWED BY (1) INDICATE TEXT ADVOCATED BY THE SOVIET SIDE AND BRACKETS FOLLOWED BY (2) INDICATE TEXT ADVOCATED BY U.S. SIDE. IT WAS UNDERSTOOD THAT THE LANGUAGE IN THESE ILLUSTRATIVE ELEMENTS WAS AD REFERENDUM TO GOVERNMENTS AND THE WORKING DRAFT WAS SO LABLED.

2. WITH RESPECT TO THE USE OF THE WORD "CONVENTION", IT HAS NOT BEEN AGREED WHETHER TO CALL THE RESULTING DOCUMENT A "CONVENTION" OR AN "AGREEMENT". THE WORD "CONVENTION" IS USED THROUGHOUT THE TEXT WITHOUT PREJUDICE TO THE POSITION OF EITHER SIDE.

3. THE FORM THAT A POSSIBLE INITIATIVE MIGHT TAKE HAS NOT BEEN AGREED. THE WORD "ELEMENT" RATHER THAN "ARTICLE"

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IS USED THROUGHOUT THE TEXT WITHOUT PREJUDICE TO THE POSITION OF EITHER SIDE.

4. THE TEXT OF THE DRAFT ILLUSTRATIVE ELEMENTS AS THEY STOOD AT THE END OF ROUND TWO FOLLOWS:
BEGIN TEXT:
ELEMENT #1

1. EACH STATE PARTY TO THIS CONVENTION UNDERTAKES
NOT TO DEVELOP, PRODUCE, STOCKPILE, OR OTHERWISE ACQUIRE,
POSSESS, OR TO USE RADIOLOGICAL WEAPONS.

2. EACH STATE PARTY TO THIS CONVENTION UNDERTAKES
NOT TO ASSIST, ENCOURAGE OR INDUCE ANY OTHER STATE, GROUP
OF STATES OR INTERNATIONAL ORGANIZATION TO ENGAGE IN
ACTIVITIES CONTRARY TO THE PROVISIONS OF PARAGRAPH 1 OF
THIS ELEMENT.

ELEMENT #2

((THE TERM "RADIOLOGICAL WEAPONS" USED IN ELEMENT #1
REFERS TO ANY WEAPON OF MASS DESTRUCTION OF NON-
EXPLOSIVE TYPE BASED ON THE DESTRUCTIVE EFFECT OF
RADIATION AND TO THE MEANS OF ITS DELIVERY))(1)

((FOR THE PURPOSE OF THIS CONVENTION THE TERM
"RADIOLOGICAL WEAPONS" MEANS ANY WEAPON, EQUIPMENT
OR DEVICE OR MATERIAL, OTHER THAN A NUCLEAR
EXPLOSIVE DEVICE, SPECIFICALLY DESIGNED TO USE THE
RADIATION PRODUCED BY THE DECAY OF RADIOACTIVE
MATERIAL AS A MEANS OF DESTRUCTION DAMAGE OR INJURY.))(2)

ELEMENT #3
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PROVISIONS OF THIS CONVENTION SHALL NOT PREVENT THE USE OF
SOURCES OF RADIATION ((FROM RADIOACTIVE DECAY))(2) FOR PEACEFUL
PURPOSES ((WHEN UNIVERSALLY RECOGNIZED PRINCIPLES AND APPLICABLE
RULES OF INTERNATIONAL LAW REGARDING SUCH USE ARE OBSERVED))(1)
((AND SHALL BE WITHOUT PREJUDICE TO THE GENERALLY RECOGNIZED
PRINCIPLES AND APPLICABLE RULES OF INTERNATIONAL LAW COVERING
SUCH USE))(2)

ELEMENT #4

EACH STATE PARTY TO THIS CONVENTION UNDERTAKES, IN ACCORDANCE
WITH ITS CONSTITUTIONAL PROCEDURES, TO TAKE ANY MEASURES WHICH IT
DEEMS NECESSARY TO ((PREVENT LOSS OF AND TO))(2) PROHIBIT AND
PREVENT ((DIVERSION OF RADIOACTIVE MATERIALS THAT MIGHT BE USED IN
RADIOLOGICAL WEAPONS AND))(2) ANY ACTIVITIES CONTRARY TO THE
PROVISIONS OF THIS CONVENTION IN ((ITS TERRITORY OR AT ANY PLACE))
(2) UNDER ITS JURISDICTION OR UNDER ITS CONTROL((,))(2)((.2#343;34
85 -6 ?3.))(2)&

& U.S. SIDE PROPOSED TO DELETE THIS PHRASE.

ELEMENT #5

((NOTHING IN THIS CONVENTION SHALL BE INTERPRETED AS IN ANY WAY LIMITING OR DETRACTING FROM THE OBLIGATIONS ASSUMED BY ANY STATE UNDER THE TREATY ON THE NON-PROLIFERATION OF NUCLEAR WEAPONS, THE PROTOCOL FOR THE PROHIBITING OF THE USE IN WAR OF ASPHYXIATING, POISONOUS OR OTHER GASES, AND OF BACTERIOLOGICAL METHODS OF WARFARE, SIGNED AT GENEVA ON JUNE 17, 1925, OR ANY EXISTING RULES OF INTERNATIONAL LAW GOVERNING ARMED CONFLICT.))(2)

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PRS-01 OES-07 SS-15 USIA-06 NRC-05 /142 W
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C O N F I D E N T I A L SECTION 2 OF 3 GENEVA 7403

ELEMENT #6

1. THE STATES PARTIES TO THIS CONVENTION UNDERTAKE TO CONSULT ONE ANOTHER AND COOPERATE IN RESOLVING ANY QUESTIONS WHICH MAY ARISE WITH RESPECT TO THE PURPOSES OR IN CONNECTION WITH THE IMPLEMENTATION OF THE PROVISIONS OF THIS CONVENTION. THE CONSULTATIONS AND COOPERATION TO EXECUTE THIS ELEMENT MAY ALSO BE CARRIED OUT BY USING APPROPRIATE INTERNATIONAL PROCEDURES IN THE FRAMEWORK OF THE UNITED NATIONS ORGANIZATION AND IN ACCORDANCE WITH ITS CHARTER. THOSE INTERNATIONAL PROCEDURES MAY INCLUDE THE USE OF SERVICES OF AN APPROPRIATE INTERNATIONAL ORGANIZATION.

2. ((A CONSULTATIVE COMMITTEE OF EXPERTS MAY BE ESTABLISHED FOR THE PURPOSE OF ASSISTING IN RESOLVING ANY QUESTIONS WHICH MAY ARISE WITH RESPECT TO THE PURPOSES OR IN CONNECTION WITH THE IMPLEMENTATION OF THE PROVISIONS OF THIS CONVENTION. THE DEPOSITARY SHALL WITHIN ONE MONTH OF THE RECEIPT OF A REQUEST FROM ANY OTHER STATE PARTY, CONVENE SUCH A CONSULTATIVE COMMITTEE. ANY STATE PARTY MAY APPOINT AN EXPERT TO SUCH A COMMITTEE. EACH STATE PARTY TO THIS CONVENTION UNDERTAKES TO COOPERATE IN CARRYING OUT INVESTIGATIONS WHICH A CONSULTATIVE COMMITTEE OF EXPERTS MAY INITIATE, IN ACCORDANCE WITH ESTABLISHED

PROCEDURES. A CONSULTATIVE COMMITTEE SHALL TRANSMIT TO THE DEPOSITARY ITS FINDINGS OF FACT, AND THE DEPOSITARY SHALL DISTRIBUTE SUCH FINDINGS TO ALL STATES PARTIES.))(2)
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3. ANY STATE PARTY TO THIS CONVENTION WHICH ((HAS GROUNDS TO SUP-
POSE)))(1)((CLAIMS)))(2) THAT ANY OTHER STATE PARTY ((ACTS)))(1)((MAY
HAVE ACTED OR MAY BE ACTING)))(2) IN ((VIOLATION OF)))(1)((IN A
MANNER INCONSISTENT WITH)))(2) THE OBLIGATIONS ((UNDER THE PROVISIONS
OF THE AGREEMENT)))(1)((UNDERTAKEN IN THIS CONVENTION)))(2), MAY LODGE
A COMPLAINT WITH THE SECURITY COUNCIL OF THE UNITATIONS. ((ANY)))(2)
SUCH COMPLAINT MUST ((BE PRESENTED IN A DOCUMENTARY FORM INCLUDING))
(2)((CONTAIN)))(1) ALL RELEVANT INFORMATION ((AS WELL AS EVERY
POSSIBLE EVIDENCE CONFIRMING ITS VALIDITY)))(1)((THEN IN THE POSS-
SESSION OF THE COMPLAINING STATE PARTY)))(2).

4. EACH STATE PARTY OF THIS CONVENTION UNDERTAKES TO COOPERATE IN
CARRYING OUT INVESTIGATIONS WHICH THE SECURITY COUNCIL MAY INITIATE,
IN ACCORDANCE WITH THE PROVISIONS OF THE CHARTER OF THE UNITED
NATIONS, ON THE BASIS OF ((THE)))(1)((ANY)))(2) COMPLAINT RECEIVED BY
THE COUNCIL. THE SECURITY COUNCIL SHALL INFORM THE STATES PARTIES
TO THE RESULTS OF ((THE)))(1)((ANY SUCH)))(2) INVESTIGATION.

5. EACH STATE PARTY TO THIS CONVENTION UNDERTAKES TO PROVIDE OR
SUPPORT ASSISTANCE, IN ACCORDANCE WITH THE CHARTER OF THE UNITED
NATIONS, TO ANY STATE PARTY WHICH ((SO)))(1) REQUESTED ((ASSISTANCE))
(2), IF THE SECURITY COUNCIL DECIDES THAT SUCH STATE PARTY HAS BEEN
((OR MAY HAVE BEEN)))(2) EXPOSED TO DANGER AS A RESULT OF ((VIOLATION))
(1)((FAILURE)))(2) OF ((A STATE PARTY TO THIS CONVENTION TO OBSERVE
THE OBLIGATIONS UNDERTAKEN IN THIS CONVENTION)))(2)((THE AGREEMENT))
(1).

ELEMENT #7

1. A STATE PARTY MAY PROPOSE AMENDMENTS TO THIS CONVENTION. EACH
PROPOSED AMENDMENT SHALL BE SUBMITTED TO THE DEPOSITARY WHICH SHALL
PROMPTLY TRANSMIT IT TO ALL STATES PARTIES.
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2. AN AMENDMENT SHALL ENTER INTO FORCE FOR EACH STATE PARTY ACCEPTING
THE AMENDMENT AFTER THE DEPOSIT WITH THE DEPOSITARY OF DOCUMENTS
OF ACCEPTANCE BY A MAJORITY OF THE STATES PARTIES. THEREAFTER, THE
AMENDMENT SHALL ENTER INTO FORCE FOR EACH REMAINING STATE PARTY ON
THE DATE OF THE DEPOSIT BY IT OF THE ACCEPTANCE DOCUMENT.

ELEMENT #8

1. THIS CONVENTION SHALL BE OF UNLIMITED DURATION.

((2. EACH STATE PARTY TO THIS CONVENTION SHALL IN EXERCISING ITS NATIONAL SOVEREIGNTY HAVE THE RIGHT TO WITHDRAW FROM THE CONVENTION IF IT DECIDES THAT EXTRAORDINARY EVENTS, RELATED TO THE SUBJECT MATTER OF THE CONVENTION, HAVE JEOPARDIZED THE SUPREME INTERESTS OF ITS COUNTRY. IT SHALL GIVE NOTICE OF SUCH WITHDRAWAL TO ALL OTHER STATES PARTIES TO THE CONVENTION AND TO THE UNITED NATIONS SECURITY COUNCIL THREE MONTHS IN ADVANCE. SUCH NOTICE SHALL INCLUDE A STATEMENT OF THE EXTRAORDINARY EVENTS IT REGARDS AS HAVING JEOPARDIZED ITS SUPREME INTERESTS.))(2)

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FM USMISSION GENEVA
TO SECSTATE WASHDC 716

C O N F I D E N T I A L SECTION 3 OF 3 GENEVA 7403

ELEMENT #9

1. THIS CONVENTION SHALL BE OPEN TO ALL STATES FOR SIGNATURE. A STATE WHICH DOES NOT SIGN THE CONVENTION BEFORE ITS ENTRY INTO FORCE IN ACCORDANCE WITH PARAGRAPH 2 OF THIS ELEMENT MAY ACCEDE TO IT AT ANY TIME.

2. THIS CONVENTION SHALL BE SUBJECT TO RATIFICATION BY SIGNATORY STATES. INSTRUMENTS OF RATIFICATION AND ACCESSION SHALL BE DEPOSITED WITH THE SECRETARY GENERAL OF THE UNITED NATIONS.

3. THIS CONVENTION SHALL ENTER INTO FORCE UPON THE DEPOSIT OF THE INSTRUMENTS OF RATIFICATION BY.... GOVERNMENTS IN ACCORDANCE WITH PARAGRAPH 2 OF THIS ELEMENT.

4. FOR STATES WHOSE INSTRUMENTS OF RATIFICATION OR ACCESSION ARE DEPOSITED SUBSEQUENT TO THE ENTRY INTO FORCE OF THIS CONVENTION, IT SHALL ENTER INTO FORCE ON THE DATE OF THE DEPOSIT OF THEIR INSTRUMENTS OF RATIFICATION OR ACCESSION.

5. THE DEPOSITARY SHALL PROMPTLY INFORM ALL SIGNATORY OR ACCEDING STATES OF THE DATE OF EACH SIGNATURE, THE DATE OF DEPOSIT OF EACH INSTRUMENT OF RATIFICATION OR ACCESSION AND THE DATE OF ENTRY INTO FORCE OF THIS CONVENTION AS WELL AS OF ANY AMENDMENT TO IT AND OF CONFIDENTIAL

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THE RECEIPT OF OTHER NOTICES.

6. THIS CONVENTION SHALL BE REGISTERED BY THE DEPOSITARY PURSUANT TO ARTICLE 102 OF THE CHARTER OF THE UNITED NATIONS.

ELEMENT #10

THIS CONVENTION, THE ARABIC, CHINESE, ENGLISH, FRENCH, RUSSIAN AND SPANISH TEXTS OF WHICH ARE EQUALLY AUTHENTIC, SHALL BE DEPOSITED WITH THE SECRETARY GENERAL OF THE UNITED NATIONS WHO SHALL TRANSMIT DULY CERTIFIED COPIES OF THE CONVENTION TO THE GOVERNMENTS OF THE SIGNATORY AND ACCEDING STATES. END TEXT.
VANDEN HEUVEL

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: RADIATION, ARMS CONTROL MEETINGS, NUCLEAR WEAPONS
Control Number: n/a
Copy: SINGLE
Sent Date: 30-Aug-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1977GENEVA07403
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Expiration:
Film Number: D770313-0497
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Legacy Key: link1977/newtext/t19770810/aaaaahna.tel
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Litigation History:
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Office: ACTION ACDA
Original Classification: CONFIDENTIAL
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 6
Previous Channel Indicators: n/a
Previous Classification: CONFIDENTIAL
Previous Handling Restrictions: n/a
Reference: n/a
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 13-Oct-2004 12:00:00 am
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 1396012
Secure: OPEN
Status: NATIVE
Subject: CCD: US/USSR WORKING GROUP ON RADIOLOGICAL WEAPONS: ROUND TWO, DRAFT ILLUSTRATIVE ELEMENTS: MSG NO. 18
TAGS: PARM, US, UR, CCD
To: STATE
Type: TE
vdkgvwkey: odbc://SAS/SAS.dbo.SAS_Docs/51a18c4e-c288-dd11-92da-001cc4696bcc
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Margaret P. Grafeld
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